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FILE Fed. Prot Act

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97TH CONGRESS
1ST SESSION

H. R. 4940

To amend title 18, United States Code, to make it a felony to kill or attempt to kill officers or employees of the intelligence community, persons given entry into the United States for permanent residence pursuant to section 7 of the Central Intelligence Agency Act of 1949, and persons present in the United States under intelligence auspices, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 12, 1981

Mr. BOLAND introduced the following bill; which was referred to the Committee on the Judiciary

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A BILL

To amend title 18, United States Code, to make it a felony to kill or attempt to kill officers or employees of the intelligence community, persons given entry into the United States for permanent residence pursuant to section 7 of the Central Intelligence Agency Act of 1949, and persons present in the United States under intelligence auspices, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

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SECTION 1. (a) Section 1114 of title 18, United States Code, is amended—

(1) by inserting "or attempts to kill" after "kills";

(2) by striking out "while engaged in the performance of his official duties," and inserting in lieu thereof "or any officer or employee of any department or agency within the intelligence community (as defined in section 4–207 of Executive Order 12036, January 24, 1978, or successor orders) not already covered under the terms of this section,"; and

(3) by inserting before the period at the end thereof a comma and the following: "except that any such person who is found guilty of attempted murder shall be imprisoned for not more than twenty years".

(b) Chapter 51 of title 18, United States Code, is amended by adding at the end thereof the following new section:

"§1118. Murder, manslaughter, assaults, threats, extortion, or kidnapping of persons given entry into the United States for permanent residence pursuant to section 7 of the Central Intelligence Agency Act of 1949

"(a) Whoever kills or attempts to kill a person given entry into the United States for permanent residence pursuant to the provisions of section 7 of the Central Intelligence

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Agency Act of 1949 (50 U.S.C. 403h) shall be punished as provided under sections 1111, 1112, and 1113 of this title, except that any such person who is found guilty of murder in the first degree shall be sentenced to imprisonment for life, and any such person who is found guilty of attempted murder shall be imprisoned for not more than twenty years.

"(b) Whoever engages in conduct proscribed by section 112, 878, or 1201 of this title against any person described in subsection (a) shall be punished as provided under those sections.".

(c) Chapter 51 of title 18, United States Code, is amended by adding at the end thereof the following new section:

"§ 1119. Murder, manslaughter, assaults, threats, extortion, or kidnapping of persons present in the United States under intelligence auspices

"(a) Whoever kills or attempts to kill a person certified by the Director of Central Intelligence or his designee to be present in the United States under the auspices of any department or agency within the intelligence community (as defined in section 4–207 of Executive Order 12036, January 24, 1978, or successor orders) shall be punished as provided under sections 1111, 1112, and 1113 of this title, except that any such person who is found guilty of murder in the first degree shall be sentenced to imprisonment for life, and any

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such person who is found guilty of attempted murder shall be imprisoned for not more than twenty years.

"(b) Whoever engages in conduct proscribed by section 112, 878, or 1201 of this title against any person described in subsection (a) shall be punished as provided under those sections.".

(d) The table of sections for chapter 51 of title 18, United States Code, is amended by adding at the end thereof the following new items:

"1118. Murder, manslaughter, assaults, threats, extortion, or kidnapping of persons given entry into the United States for permanent residence pursuant to section 7 of the Central Intelligence Agency Act of 1949.
"1119. Murder, manslaughter, assaults, threats, extortion, or kidnapping of persons present in the United States under intelligence auspices.".

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